

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl No. : 09/610,284  
Applicant : Herbert Bächler et al.  
Filed : July 6, 2000  
Title : "HEARING DEVICE HAVING SELF-CONTAINED, SELF-IDENTIFYING PERIPHERAL HARDWARE UNITS (as amended)"  
  
Conf. No. : 5343  
TC/A.U. : 2614  
  
Customer No. : 00116  
Docket No. : 32794US1

**LETTER REQUESTING CORRECTED FILING RECEIPT**

Mail Stop Issue Fee  
Commissioner of Patents  
P.O. Box 1450  
Aalexandria, VA 22313-1450

Sir/Madam:

Enclosed is a copy of the Filing Receipt for the above-identified application with corrections written in, dated July 31, 2001. The receipt contains an error in the "Domestic Priority data as claimed by applicant" section. This section should read as follows:

Application 09/610,284 is a Continuation of PCT/CH98/00502.

Section 16 of the enclosed copy of PTO/SB/05 (Utility Patent Application Transmittal) dated July 6, 200 (filing date of application) clearly shows the filing basis of the application. The enclosed return postcard shows the PTO receiving the transmittal on July 6, 2000.

Also enclosed is a copy of our correspondence dated August 7, 2000, submitting the priority document (PCT/CH98/00502) to the PTO and received by the PTO on August 9, 2000, as evidenced by the copy of the return postcard.

In response to a missing parts notice, the Declaration was submitted to the PTO on September 7, 2000. The return postcard shows that the PTO received the submission on

September 12, 2000. On page 2 of the Declaration the priority information is clearly shown.  
A copy of the transmittal letter, the declaration and the return postcard are enclosed.

Please issue a corrected filing receipt for this application and forward the same to the undersigned attorney of record.

Respectfully submitted

PEARNE & GORDON LLP

By: 

Michael W. Garvey, Reg. No. 35878

1801 East 9<sup>th</sup> Street  
Suite 1200  
Cleveland, Ohio 44114-3108  
(216) 579-1700

September 11, 2007

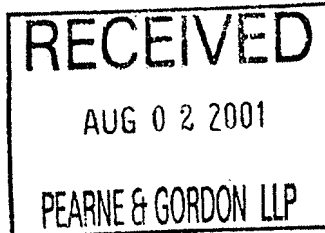


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/610,284	07/06/2000	2899	1080	32794	3	11	2

000116  
PEARNE & GORDON LLP  
526 SUPERIOR AVENUE EAST  
SUITE 1200  
CLEVELAND, OH 44114-1484



CONFIRMATION NO. 5343

CORRECTED FILING RECEIPT



\*OC00000006365589\*

Date Mailed: 07/31/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Herbert Bachler, Meilen, SWITZERLAND;  
Christian Berg, Uerikon, SWITZERLAND;

Domestic Priority data as claimed by applicant *Application 09/610,284 is a continuation of PCT/CH98/00502*

## Foreign Applications

If Required, Foreign Filing License Granted 09/07/2000

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

## Title

Hearing aid

## Preliminary Class

XXX

Data entry by : DAY, MARIAN

Team : OIPE

Date: 07/31/2001



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

Inventor / Applicant: Herbert Bächler et al. No. 12025  
Title: "HEARING AID"  
Serial No. 09/610,284 Patent No. \_\_\_\_\_  
Filed: July 6, 2000 Examiner \_\_\_\_\_

Enclosed Are:

☐ PATENT APPLICATION

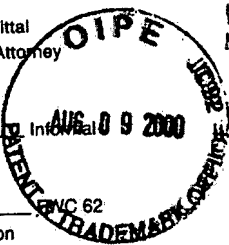
\_\_\_\_ New Application Transmittal  
\_\_\_\_ Declaration & Power of Attorney  
\_\_\_\_ Pgs. of Claims  
\_\_\_\_ Sheet(s) of Drawing(s)  
\_\_\_\_ Formal \_\_\_\_\_  
\_\_\_\_ Small Entity Statements  
\_\_\_\_ Continuation or Division  
\_\_\_\_ Rule 60 \_\_\_\_\_  
\_\_\_\_ Supplemental Declaration

☐ ASSIGNMENT

\_\_\_\_ Transmittal(s)  
\_\_\_\_ Original \_\_\_\_\_ Copies

☐ INFORMATION DISCLOSURE

\_\_\_\_ PTO-1449 \_\_\_\_\_ Refs.



Other Letter, Certified copy of  
International Application  
No. PCT/CH98/00502

CHECK(S) IN THE AMOUNT(S) OF

\$ \_\_\_\_\_ \$ \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_

Docket No. TSW 32794051 Int. Dec/pv  
Date 8/7/00

ACKNOWLEDGES RECEIPT OF:

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Herbert Bächler et al.  
Serial No.: 09/610,284  
Filed: July 6, 2000  
Title: HEARING AID  
Docket No.: 32794US1

LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a certified copy of International Patent Application No. PCT/CH98/00502; the parent application from which benefit under 35 U.S.C. 120 is claimed in the above-identified application.

Respectfully submitted,

PEARNE & GORDON LLP



David E. Spaw, Reg. No. 34732

526 Superior Avenue East  
Suite 1200  
Cleveland, Ohio 44114-1484  
(216) 579-1700

August 7, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date indicated below.

David E. Spaw  
Name of Attorney for Applicant(s)  
8/7/00  
Date Signature of Attorney


Inventor/Applicant: Herbert Bächler et al. No. 11758  
Title: "HEARING AID"  
Serial No. \_\_\_\_\_ Patent No. \_\_\_\_\_  
Filed: \_\_\_\_\_ Examiner \_\_\_\_\_

Enclosed Are:  
☒ **PATENT APPLICATION** (New)  
\_\_\_\_ New Application Transmittal & 1 copy  
\_\_\_\_ Declaration & Power of Attorney  
3 Pgs. of Claims  
3 Sheet(s) of Drawing(s)  
\_\_\_\_ ☒ Formal ☐ Informal  
\_\_\_\_ Small Entity Statements  
\_\_\_\_ Continuation or Division  
\_\_\_\_ Rule 60 ☐ FWC 62  
\_\_\_\_ Supplemental Declaration  
☐ **ASSIGNMENT**  
\_\_\_\_ Transmittal(s)  
\_\_\_\_ Original ☐ Copies  
☒ **INFORMATION DISCLOSURE**  
\_\_\_\_ PTO-1449 7 Refs.

Other Specification - 10 pages and  
abstract PTO/SB/05 Form, copy of  
international search report

CHECK(S) IN THE AMOUNT(S) OF  
\$ 820.00 \$ \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_

Docket No. TSW 32794<sup>MS</sup> Int. DES/pe  
Date 7/6/00

ACKNOWLEDGES RECEIPT OF:  
JG057 U.S. PTO  
09/610284  
  
07/06/00



Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (4/98)  
Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

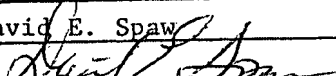
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))</small>	Attorney Docket No.	32794
	First Inventor or Application Identifier	Herbert Bachler
	Title	HEARING AID
	Express Mail Label No.	EL633643619US

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small>	<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
1. <input checked="" type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original and a duplicate for fee processing)</small>	5. <input type="checkbox"/> Microfiche Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Specification [Total Pages 14] <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to Microfiche Appendix</li><li>- Background of the invention</li><li>- Brief Summary of the invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul>	6. Nucleotide and/or Amino Acid Sequence Submission <small>(if applicable, all necessary)</small> <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Computer Readable Copy</li><li>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</li><li>c. <input type="checkbox"/> Statement verifying identity of above copies</li></ul>
3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 3]	<b>ACCOMPANYING APPLICATION PARTS</b> <ul style="list-style-type: none"><li>7. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</li><li>8. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small></li><li>9. <input type="checkbox"/> English Translation Document (if applicable)</li><li>10. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations</li><li>11. <input type="checkbox"/> Preliminary Amendment</li><li>12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small></li><li>13. <input type="checkbox"/> * Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired <small>(PTO/SB/09-12)</small></li><li>14. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small></li><li>15. <input checked="" type="checkbox"/> Other: Check for \$820.00</li></ul>
4. Oath or Declaration [Total Pages 0] <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Newly executed (original or copy)</li><li>b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) <small>(for continuation/divisional with Box 16 completed)</small></li><li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</small></li></ul>	
<b>* NOTE FOR ITEMS 1 &amp; 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).</b>	

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:  
☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: PCT / CH98/00502  
Prior application information: Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_  
**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

<b>17. CORRESPONDENCE ADDRESS</b>					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		000,116		or <input type="checkbox"/> Correspondence address below	
<small>(Insert Customer No. or Attach bar code label here)</small>					
Name	David E. Spaw Pearne & Gordon LLP				
Address	526 Superior Avenue East Suite 1200				
City	Cleveland	State	Ohio	Zip Code	44114-1484
Country	U.S.A.	Telephone	216-579-1700	Fax	216-579-6073

Name (Print/Type)	David E. Spaw	Registration No. (Attorney/Agent)	34732
Signature		Date	7/6/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Inventor/Applicant: Herbert Bächler et al. No. 12257  
Title: "HEARING AID"  
Serial No. 091610, 284 Patent No. \_\_\_\_\_  
Filed: July 6, 2000 Examiner \_\_\_\_\_

Enclosed Are:

☐ PATENT APPLICATION

☒ New Application Transmittal  
☒ Declaration & Power of Attorney  
☐ Pgs. of Claims  
☐ Sheet(s) of Drawing(s)  
☐ Formal ☐ Informal  
☐ Small Entity Statements  
☐ Continuation or Division  
☐ Rule 60 ☐ FWC 62  
☐ Supplemental Declaration

☐ ASSIGNMENT

☐ Transmittal(s)  
☐ Original ☐ Copies

☐ INFORMATION DISCLOSURE

☐ PTO-1449 ☐ Refs.

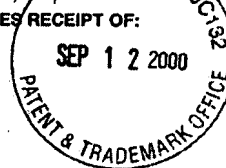
Other Letter

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\$ \_\_\_\_\_ \$ \_\_\_\_\_

TSW 32794051  
Docket No. 9/7/00 1P DES/PA  
Date 9/7/00

ACKNOWLEDGES RECEIPT OF:



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Herbert Bächler  
Serial No.: 09/610,284  
Filed: July 6, 2000  
Title: HEARING AID  
Docket No.: 32794US1

LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant encloses herewith the required Declaration and Power of Attorney for the above-identified application. A check for \$130.00 is enclosed to cover the late filing fee surcharge for the enclosed declaration. Applicant has not yet received a Notice of Missing Parts.

If there are any further fees resulting from this communication not covered by the enclosed check, or if no check was enclosed, please charge the same to Deposit Account No. 16-0820, Order No. 32794US1.

Respectfully submitted,

PEARNE & GORDON LLP

By

  
David E. Spaw, Reg. No. 34732

526 Superior Avenue East  
Suite 1200  
Cleveland, Ohio 44114-1484  
(216) 579-1700

September 7, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date indicated below.

David E. Spaw  
Name of Attorney for Applicant(s)

# DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION

☐ Submitted with Initial Filing

☒ Submitted after Initial Filing  
(Surcharge (37 CFR 1.16(e)) required)

Attorney Docket No.: 32794US1

Application Number: 09/610,284

First Named Inventor: Herbert Bächler

Filing Date: July 6, 2000

Group Art Unit: N/A

Examiner Name: N/A

**As a below named inventor, I hereby declare that:**

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## HEARING AID

the specification of which (check only one item below)

☐ is attached hereto,

OR

☒ was filed on (MM/DD/YYYY) 07/06/2000 as United States Application Number or PCT International Application Number 09/610,284 and was amended on (MM/DD/YYYY) \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim the benefit under 35 U.S.C. 120, of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>U.S. Parent Application or PCT Parent Number</u>	<u>Parent Filing Date (MM/DD/YYYY)</u>	<u>Parent Patent Number (if applicable)</u>
PCT/CH98/00502	11/24/1998	

As a named inventor, I hereby appoint each of the following as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Charles B. Gordon, Reg. No. 16923  
William C. McCoy, Reg. No. 16885  
Richard H. Dickinson, Jr., Reg. No. 18622  
Thomas P. Schiller, Reg. No. 20677  
David B. Deima, Reg. No. 22841  
Joseph J. Corso, Reg. No. 25845  
Howard G. Shimola, Reg. No. 26232

Jeffrey J. Sopko, Reg. No. 27676  
John P. Murtaugh, Reg. No. 34226  
James M. Moore, Reg. No. 32923  
David E. Spaw, Reg. No. 34732  
Michael W. Garvey, Reg. No. 35878

Address all correspondence to Customer Number 000,116.

Please direct all correspondence and inquiries to David E. Spaw at (216) 579-1700.